

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SAXON INNOVATIONS, LLC,

Plaintiff,

v.

Civil Action No.: 6:08cv494

NOKIA CORP.,
a Finnish Corporation,

JURY TRIAL DEMANDED

NOKIA, INC.,
a Delaware Corporation,

PALM, INC.,
a Delaware Corporation,

RESEARCH IN MOTION LTD.,
a Canadian Corporation,

RESEARCH IN MOTION
CORPORATION,
a Delaware Corporation,

HIGH TECH COMPUTER CORP.,
a Taiwanese Corporation,

HTC AMERICA, INC.
a Texas Corporation,

PANASONIC CORPORATION
a Japanese Corporation,

AVC NETWORKS COMPANY
a Japanese Corporation,

PANASONIC CORPORATION
OF NORTH AMERICA
a Delaware Corporation, and

PANASONIC CONSUMER)
ELECTRONICS COMPANY)
a Delaware Corporation)
)
Defendants.)
_____)

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Saxon Innovations, LLC (“Saxon”) alleges against Defendants Nokia Corp., Nokia, Inc., Palm, Inc., Research in Motion, Ltd., Research in Motion Corporation, High Tech Computer Corp., HTC America, Inc., Panasonic Corporation, AVC Networks Company, Panasonic Corporation of North America, and Panasonic Consumer Electronics Company (collectively, “Defendants”) as follows:

JURISDICTION

1. This action arises under the Patent Laws of the United States, 35 U.S.C. §§ 1 et seq. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and § 1338(a).

VENUE

2. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c), and 28 U.S.C. § 1400(b) because Saxon is incorporated in this judicial district, and is subject to personal jurisdiction here.

THE PARTIES

3. Plaintiff, Saxon Innovations, LLC (“Saxon”), is a Texas corporation. Saxon maintains corporate offices at 100 E. Ferguson, Suite 816, First Place, Tyler, TX 75702. Saxon is in the business of licensing technology related to communications products.

4. On information and belief, Nokia Corp. is a foreign corporation organized and existing under the laws of Finland, with its principal place of business at Keilalahdentie 4, FIN-00045 Espoo, Finland. On information and belief, Nokia Inc. is a corporation organized and

existing under the laws of the State of Delaware, with its principal place of business located at 6000 Connection Drive, Irving, TX 75039. Nokia Corp. and Nokia Inc. are referred to collectively herein as “Nokia.”

5. Nokia is in the business of making, offering for sale, selling and supporting a variety of personal and business communications devices including, but not limited to, cell phones, handheld computers and other wireless communications devices.

6. On information and belief, Palm, Inc. (“Palm”) is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 950 W. Maude Ave., Sunnyvale, CA 94085.

7. Palm is in the business of making, offering for sale, selling and supporting a variety of personal communications devices including, but not limited to, cell phones, handheld computers and other wireless communications devices.

8. On information and belief, Research In Motion Ltd. is a foreign corporation organized and existing under the laws of Canada, with its principal place of business at 295 Phillip Street, Waterloo, ON N2L 3W8, Canada. On information and belief, Research in Motion Corporation is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 122 W. John Carpenter Pkwy., Ste. 430, Irving, TX 75039. Research In Motion Ltd. of Canada and Research in Motion Corporation of Delaware are collectively referred to herein as “RIM.”

9. RIM is in the business of making, offering for sale, selling and supporting wireless hardware, software and services including, but not limited to, cell phones, handheld computers and other wireless communications devices.

10. On information and belief, High Tech Computer Corp. is a foreign corporation organized and existing under the laws of Taiwan, with its principal place of business at 23 Xinghua Rd., Taoyuan, 330, Taiwan, R.O.C. HTC America, Inc. is a corporation organized and existing under the laws of the State of Texas, with its principal place of business located at 13920 SE Eastgate Way, Suite 400, Bellevue, Washington. High Tech Computer Corp. and HTC America, Inc. are referred to collectively herein as “HTC.”

11. HTC is in the business of making, offering for sale, selling and supporting wireless hardware, software and services including, but not limited to, cell phones, handheld computers and other wireless communications devices.

12. On information and belief, Panasonic Corporation (f/k/a Matsushita Electric Industrial Co., Ltd.) is a foreign corporation organized and existing under the laws of Japan, with its principal place of business at 1006, Kadoma, Kadoma City, Osaka 571-8501, Japan.

13. Panasonic Corporation is in the business of making, offering for sale, selling and supporting a variety of personal communications devices, including, but not limited to, cell phones, handheld computers and other wireless communications devices.

14. AVC Networks Company is a business domain company of Panasonic Corporation, with its principal place of business at 1-15, Matsuo-cho, Kadoma-city, Osaka 571-8504 Japan. Panasonic Corporation of North America is corporation organized and existing under the laws of the State of Delaware. Panasonic Corporation of North America is the principal North American subsidiary of Panasonic Corporation and maintains its principal place of business at One Panasonic Way, Secaucus, New Jersey 07094. Panasonic Consumer Electronics Company is a corporation organized and existing under the laws of the State of Delaware. Panasonic Consumer Electronic Company is a division of Panasonic Corporation of

15. AVC Networks Company, Panasonic Corporation of North America, and Panasonic Consumer Electronics Company are in the business of making, offering for sale, selling and supporting a variety of consumer electronics devices, including, but not limited to, plasma televisions, home theater systems, Blu-ray disk recorders/players, digital cameras, and digital video cameras.

COUNT I

(Infringement of U.S. Patent No. 5,235,635)

20. On August 10, 1993, United States Patent No. 5,235,635 (the ‘635 Patent), for an invention entitled “Keypad Monitor with Keypad Activity-Based Activation,” was duly and legally issued by the United States Patent Office (a copy of the ‘635 patent is attached hereto as Exhibit A). Saxon is the owner of all rights, title, and interest in and to the ‘635 Patent.

21. On information and belief, Nokia, Palm, RIM, HTC, and Panasonic have been and still are infringing, contributing to the infringement of, and/or inducing the infringement of the ‘635 Patent by making, selling, using, offering for sale, and/or importing into the United States products embodying the patented invention and will continue to do so unless enjoined by this Court.

22. Saxon has been damaged by Nokia, Palm, RIM, HTC, and Panasonic’s infringement, which will continue unless enjoined by this Court.

COUNT II

(Infringement of U.S. Patent No. 5,530,597)

23. On June 25, 1996, United States Patent No. 5,530,597 (the ‘597 Patent), for an invention entitled “Apparatus and Method for Disabling Interrupt Masks in Processors or the Like,” was duly and legally issued by the United States Patent Office (a copy of the ‘597 patent is attached herewith as Exhibit B). Saxon is the owner of all rights, title, and interest in and to the ‘597 Patent.

24. On information and belief, Nokia, Palm, RIM, and HTC have been and still are infringing, contributing to the infringement of, and/or inducing the infringement of the ‘597 Patent by making, selling, using, offering for sale, and/or importing into the United States products embodying the patented invention and will continue to do so unless enjoined by this Court.

25. Saxon has been damaged by Nokia, Palm, RIM, and HTC’s infringement, which will continue unless enjoined by this Court.

COUNT III

(Infringement of U.S. Patent No. 5,608,873)

26. On March 4, 1997, United States Patent No. 5,608,873 (the ‘873 Patent), for an invention entitled “Device and Method for Interprocessor Communication Using Mailboxes Owned by Processor Devices,” was duly and legally issued by the United States Patent Office (a copy of the ‘873 patent is attached herewith as Exhibit C). Saxon is the owner of all rights, title, and interest in and to the ‘873 Patent.

27. On information and belief, Nokia and HTC have been and still are infringing, contributing to the infringement of, and/or inducing the infringement of the ‘873 Patent by

making, selling, using, offering for sale, and/or importing into the United States products embodying the patented invention and will continue to do so unless enjoined by this Court.

28. Saxon has been damaged by Nokia and HTC's infringement, which will continue unless enjoined by this Court.

WHEREFORE, Saxon prays for judgment and relief as follows:

A. A preliminary and permanent injunction against Defendants' continued infringement, inducing of infringement, and contributing to infringement of the '635, '597, and/or '873 Patents (collectively the "Patents-in-Suit");

B. An award of damages in favor of Saxon and against Defendants sufficient to compensate Saxon for Defendants' infringement of the Patents-in-Suit, and an assessment of prejudgment interest and post-judgment interest;

C. A finding by the Court that this case is exceptional under 35 U.S.C. § 285;

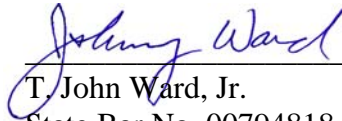
D. An award to Saxon of its reasonable expenses, including attorneys' fees and costs of this action; and

E. Such other and further relief as the Court finds just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Saxon hereby demands a trial by jury on all issues so triable.

Respectfully Submitted,

A handwritten signature in blue ink, reading "T. John Ward, Jr.", is positioned above a horizontal line.

T. John Ward, Jr.

State Bar No. 00794818

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